

AO 440 (Rev. 10/93) Summons in a Civil Action

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SCIELE PHARMA, INC. and SCIELE PHARMA
CAYMAN, LTD.,

v.

MYLAN PHARMACEUTICALS, INC. and
MYLAN LABORATORIES, INC.,

SUMMONS IN

C.A. Number: _

ORIGINAL

TO: Mylan Pharmaceuticals, Inc.
c/o Corporation Service Company
209 West Washington Street
Charleston, WV 25302

- 0 7 - 6 6 4 -

c/o Delaware Secretary of State Pursuant to
401 Federal Street, Suite 3 10 Del.C. §3104
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

William J. Marsden, Jr. (#2247)
Susan M. Coletti (#4690)
FISH & RICHARDSON P.C.
919 N. Market St., Suite 1100
Wilmington, DE 19899-1114
Tel: (302) 652-5070

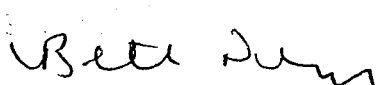
an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

Clerk

Date

10/22/07


(By) Deputy Clerk

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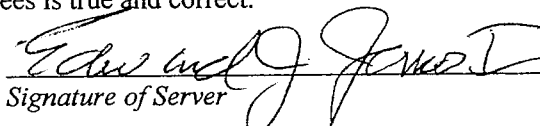
RETURN OF SERVICE	
Service of the Summons and Complaint was made by me ¹	DATE: 10-23-07
NAME OF SERVER (PRINT) Edward Jones	TITLE: Process Server
<p>Check one box below to indicate appropriate method of service</p> <p><input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: Secretary of STATE 401 Federal Street <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Done DC</p> <p>Name of person with who the summons and complaint were left: Service Accepted by Karen Charbonneau @ 4:19 pm.</p> <p><input type="checkbox"/> Return unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>	

STATEMENT OF SERVICE FEES		
TRAVEL:	SERVICES:	TOTAL:

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service of Service Fees is true and correct.

Executed on: 10-23-07
 Date


 Signature of Server

15 East North Street Dover DE 19901
 Address of Server

¹ As to who may serve a summons, see Rule 4 of the Federal Rules of Civil Procedures.